

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Michael Paul Shurko

Docket No. 5:18-CR-5-1D

Petition for Action on Supervised Release

COMES NOW Mindy L. Threlkeld, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Michael Paul Shurko, who, upon an earlier plea of guilty to 18 U.S.C. §2252, Possession of Material Involving the Sexual Exploitation of Children, was sentenced by the Honorable Frank Montalvo, U. S. District Court Judge for the Western District of Texas, on August 14, 2014, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 120 months.

Michael Paul Shurko was released from custody on June 03, 2015, at which time the term of supervised release commenced.

On October 23, 2015, the court for the Western District of Texas amended the conditions of supervised release to permit the defendant to reside in Fayetteville, North Carolina, and have unsupervised conduct with his 15-year old stepson.

On October 31, 2015, the defendant relocated to the Eastern District of North Carolina.

On November 4, 2015, the court for the Western District of Texas amended the conditions of supervised release to allow residents of the defendant's address to have internet-access and computer devices, subject to reasonable search. It was further ordered that the defendant would not be authorized to use Internet-enabled computer devices of any form.

On December 19, 2017, the court for the Western District of Texas was notified that the defendant had been arrested for Misdemeanor Assault on a Female, in Fayetteville, North Carolina. It was requested that we await the disposition in state court and that no further action be taken. This charge has since been dismissed.

On January 11, 2018, jurisdiction was transferred to the Eastern District of North Carolina.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant has complied with his conditions of supervised release since relocating to the Eastern District of North Carolina. The defendant is now requesting permission to use internet-enabled computer devices with the understanding that these devices would be monitored with computer monitoring software, paid for by the defendant.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. To ensure compliance with supervision, the defendant shall submit to unannounced searches of any computer or computer equipment (including mobile phones, tablets, and data storage devices) which may include the use of computer monitoring technology, computer search or analysis software, and copying of all data from the device and external peripherals. Such examination may require the

removal of devices from the defendant's possession for the purpose of conducting a thorough inspection.

2. At the direction of the U.S. Probation Officer, the defendant shall consent to the installation of systems or software that will allow the probation officer or designee to monitor computer use on any computer that the defendant owns or is authorized to use. The defendant shall pay the costs of this monitoring.
3. The defendant shall not have any social networking accounts without the approval of the U.S. Probation Officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld
Mindy L. Threlkeld
Senior U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2539
Executed On: April 13, 2018

ORDER OF THE COURT

Considered and ordered this 19 day of April, 2018, and ordered filed and made a part of the records in the above case.

James C. Dever III
James C. Dever III
Chief U.S. District Judge